

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

United States of America)

v.)

Luis Octavio Frias)

Case No.)

M-13- 466 -SM)

Defendant(s)

FILED
 OCT 4 2013
 ROBERT D. DENNIS, CLERK
 U.S. DIST. COURT, WESTERN DIST. OF OKLA.
 BY *BB* DEPUTY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 8, 2013 in the county of Kay in the
Western District of Oklahoma, the defendant(s) violated:

Code Section

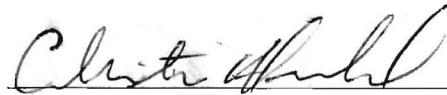
18 U.S.C. § 1073

Offense Description

the defendant, did move and travel in interstate commerce with intent to avoid prosecution under the laws of the State of Oklahoma, for felony offenses punishable for a maximum sentences of ten years and life.

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent Christopher Headrick, Federal Bureau of Investigations (FBI), which is incorporated and made a part hereof by reference.

☒ Continued on the attached sheet.


Complainant's signature

Christopher Headrick, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

10/4/13

City and state:

Oklahoma City, Oklahoma


Judge's signature

SUZANNE MITCHELL, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

AFFIDAVIT

I, Christopher Headrick, being duly sworn, depose and state as follows:

I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed for the past twenty six years. I am currently assigned to the Stillwater, Oklahoma Resident Agency and investigate matters in the areas of northern Oklahoma, including Kay County. I am responsible for investigating federal criminal matters which fall within the jurisdiction of the FBI, and I am empowered by law to make arrests for violations of federal law.

During my employment as a Special Agent, I have investigated hundreds of cases to include the location and apprehension of fugitives. Through that experience, I am familiar with the techniques utilized by fugitives to avoid apprehension by law enforcement.

The statements contained in this Affidavit are based on my experiences and background as a Special Agent with the FBI, and from information provided to me by other individuals involved in the investigation as well as various witnesses. Since this Affidavit is being submitted for the limited purpose of obtaining a federal arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe **Luis Octavio Frias, DOB xx-xx-1984, SSN: xxx-xx-2405** is in violation of United States Code, Title 18, Section 1073, Flight to Avoid Prosecution.

The following facts are submitted for the purpose of obtaining a federal arrest warrant for Frias, for Flight to Avoid Prosecution.

There is currently an active arrest warrant for Frias in Kay County, Oklahoma, Kay County Case Number CF-2013-539, filed in Kay County on August 9, 2013, for the First Degree Murder of Janett Reyna, in the City of

Blackwell, Oklahoma, on August 8, 2013.

Thereafter, the Blackwell Police Department requested the assistance of the FBI to apprehend Frias. The Blackwell Police Department verified they will extradite Frias for the outstanding arrest warrant.

Oklahoma State Bureau of Investigation (OSBI) Agent Richard Brown provided the following information to your Affiant:

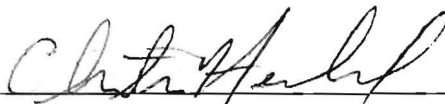
On August 9, 2013, the OSBI obtained information from Neshia Niemeyer who stated she drove Frias from Blackwell, Oklahoma to the residence of Frias' Aunt, in Enid, Oklahoma, shortly after the murder on August 8, 2013.

On August 9, 2013, the OSBI obtained information from Dora Beltran, who resides at 721 North 15th Street, Enid, Oklahoma. Beltran is the aunt of Frias. Beltran stated Frias arrived at her residence around noon on August 8, 2013 with a white female. Beltran then drove Frias to the Wichita, Kansas bus station where Frias said he was going to catch the Los Paisanos bus. The Los Paisanos bus traveled from Wichita, Kansas, through Texas, with a final destination of Mexico. Beltran and Frias arrived at the bus station shortly after the 5:00PM bus departed, the only Los Paisanos departure for the day.

On August 12, 2013, the OSBI obtained information from Jessica Rodriguez, a resident of Topeka, Kansas and cousin to Frias. Rodriguez and Beltran made arrangements for Frias to spend the night with Rodriguez and for Rodriguez to take Frias to the Wichita, Kansas bus station the following day to board the bus to Mexico. The following morning, Rodriguez drove Frias to the Los Paisanos Bus Station. There, Rodriguez purchased a bus ticket to Juarez, Mexico for Frias, in the name of Juan Romero. Rodriguez and Frias left the bus station and returned later that day. Rodriguez dropped off Frias in time to catch the 5:00PM Los Paisanos bus. Rodriguez knew Frias' father had lived in either Mexicali or Tijuana, Mexico.

Based on the above facts, your Affiant believes **Luis Octavio Frias** fled in interstate commerce for the purposes of avoiding prosecution, in violation of Title 18, U.S.C. 1073, Flight to Avoid Prosecution.

FURTHER AFFIANT SAYETH NOT.


CHRISTOPHER HEADRICK
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me on this 4th day of October, 2013.


SUZANNE MITCHELL
United States Magistrate Judge

